

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA ex rel.
TERESA TEATER,

Plaintiff,

v.

MARTHA SHRADER et al.,

Defendants.

No. CV05-623-HU

OPINION AND ORDER

MOSMAN, J.,

On March 20, 2006, Magistrate Judge Hubel issued Findings and Recommendation ("F&R") (#50) in the above-captioned case recommending defendants' motions to dismiss (## 26, 30, 33) be GRANTED WITH PREJUDICE as to all of plaintiff's claims, except her ADA and Rehabilitation Act claims. As for the ADA and Rehabilitation Act claims, Judge Hubel recommended that they be GRANTED WITHOUT PREJUDICE. No objections to the F&R were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to

review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Hubel's recommendation, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 18th day of April, 2006.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court